

Grant County Planning Commission

July 24th, 2006

The June 26 2006 regular meeting of the Planning Commission was called to order by Chairman John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Marlon Kinsey, Nancy Duley, Marvin Faulkner, William Covington, Bill Marksberry, Howard Brewer, Dan Bates, Attorney: Tom Nienaber, Engineer: Ray Erpenbeck, Becky Ruholl

There was a quorum present.

ITEM 1: MINUTES

Howard Brewer made a motion to approve the June meeting minutes, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2: JUNE FINANCIAL REPORT

William Covington made a motion to approve the June financial report, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3: ADMINISTRATORS REPORT

None

ITEM 4: MAP AMENDMENT - James Rhoton

APPLICANT: James Rhoton

GENERAL LOCATION: on the north side of Chipman Ridge Road approximately 0.6 miles west of Reed-Kinman Road.

REQUEST: Agricultural – One (A-1) to Rural Residential

Chairman John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Becky Ruholl stated that fees were paid and notices given.

Mr. Rhoton said that this request was so that he could sell the mobile home and 1.5 acres from the farm.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Marvin Faulkner asked if he planned on selling the mobile home with 3 acres or 1.5 acres. Mr. Rhoton said that it would be 1.5 acres. Becky Ruholl explained that the minimum that could be rezoned in the Rural Residential zone was 3 acres and that 3 acres could be divided into 2-1.5 acre lots. She said that Mr. Rhoton planned on selling the mobile home with 1.5 acres and the remaining 1.5 acres would be kept with the remaining farm acreage. Mr. Rhoton said that was correct.

Becky Ruholl read the recommendation which was approval of the application based on the findings of fact 1. the request is in conformance with the current adopted Comprehensive Plan a. the Comprehensive Plan Goals and Objectives states that farms and farming activities should be maintained and that appropriate rural residential development should occur. B. the applicant has requested a map amendment for the purpose of creating a lot for an existing house.

Dan Bates made a motion to recommend to the Grant County Fiscal Court APPROVAL of the requested map amendment, based upon the finding that the request is in substantial conformance with the provisions and policies within the Grant County Comprehensive Plan, Howard Brewer seconded the motion. A roll call vote was taken: Marlon Kinsey: yes, Nancy Duley: yes, Marvin Faulkner: yes, William Covington: yes, Bill Marksberry: yes, Howard Brewer: yes, Dan Bates: yes. Motion passes.

ITEM 5: BLACKBURN LANE - PRELIMINARY PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the Plat.

Howard Brewer made a motion to approve the plat, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 6: HEARTLAND MEADOWS PHASE 1 - FINAL PLAT

REMOVED FROM AGENDA

ITEM 7 & 8: THOUROUGHBRED RUN SECTION 1 & 2 - FINAL PLAT

No one was present to present the plat.

Marvin Faulkner made a motion to table the items until the next Planning Commission Meeting, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9: AVALON LOT 1 - FINAL PLAT

REMOVED FROM AGENDA

ITEM 10: SUMMERFIELD - FINAL PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the condition that a bond be posted for \$28,260.00.

Tom Nienaber said that his only concern with the bond was that it expired in 1 month. Logan said that they were going to present a new bond to expire in 12 months.

Howard Brewer made a motion to approve the plat, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 11: CONVEYANCE PLATS - JUNE

William Covington made a motion to approve the June Conveyances, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 12: EXECUTIVE SESSION

none

ITEM 13: OTHER BUSINESS

- Tom Nienaber said that the street improvements had not been completed on Ellen Kay Subdivision and that a bond had been posted in the amount of \$50,000.00. Mr. Nienaber said that Mr. Ament had been contacted and had not made any effort to complete the required improvements. He said that the next step would be to get the \$50,000.00 from the bank and then the Commission would have the work completed. Howard Brewer asked what would happen if the \$50,000.00 would not cover the cost. Mr. Nienaber said that they would complete what the bond would cover and then take action against the developer for the remaining costs. Becky Ruholl stated that Mr. Ament was well aware of what was about to happen. She said that Ray, Tom and herself had spoken to Mr. Ament several times and he was made aware that if he did not complete the improvements that the Commission was going to recall the bond money. Mr. Nienaber said that he had spoken to Mr. Ament and he asked for a few extra days and he still did not do anything.

Dan Bates made a motion to allow Mr. Erpenbeck and Mr. Nienaber to proceed with recalling the bond money and start the process of completing the improvements, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

- Tom Nienaber said that he had been contacted concerning a form letter that the Commission uses for a developer to post a letter of credit. He said that he has drafted a letter and he would like to have the Commission adopt the letter so that in the future any developer will have it to use if they want to post a letter of credit.

Nancy Duley made a motion to adopt the letter of credit form letter presented by Mr. Nienaber, Dan Bates seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

- Howard Brewer asked if there was a standard set of regulations that Homeowners Associations go by or if it was up to each association. Ray Erpenbeck said that each association has a Board of Directors and the restrictions set by them are enforced through the court system

ITEM 14: ADJOURNMENT

Howard Brewer made a motion to adjourn, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

June 26, 2006